Mr. James T. Tague
Dallas, Texas,

Rt. 12, Frederick, Md. 21701
1/19/77

Dear Jim,

When I receive your letter I'll mail this. I am glad to have heard from you and I like what you said and the way you said it.

There are other possibilities. I believe they are worth the effort and that you can help. It is possible that others may be willing. This is the reason I've been wanting to return to Dallas. However, when Post Mortem went to the printer I went to the hospital. I have not been able to travel with the book, as is usual.

My personal experiences in Dallas are quite unlike the national image of the city. People you would expect to refuse to see me spent much time with me. Like Alan Sweatt. He spent more than a half-day with me.

If I can get there again I can bring with me evidence I did not have before. There are people I have met there who I think will understand it and will be willing not to be silent. Only by the effort can we learn.

It is not uncommon for me to be awakened by the phone. It is uncommon for me not to fall asleep again as soon as my head is on the pillow. I was awake quite some time last night thinking about your desire to help. It also means much to me when people are true to the ancient and honored American tradition, of having decent concern, the simple words of the founding fathers.

It has been my belief from the first that the only way we can healk ourselves of the consequences of this trauma is by making the institutions of society work. One of these institutions is the courts. They do not always work. But within my experience they also do not always fail. I am now in the midst of a case where the court is failing but in spite of it I am obtaining a great number of once-secret records that will make an unusual archive students will be able to study for years. I am going into this to encourage you to my belief, that with an effort there is no such thing as a failure, for us or from the failing court. The effort that is producing this unprecedented yield goes back to 1939 directly and indirectly to early 1966. I had a court failure with a suit to which I'll return. It began in 1966. The Supreme Court even ruled against me. But fortunately for more than me at this point I became associated with a fine young lawyer who has handled my cases since then. This losing case, the only one I've lost, turned out to be the greatest victory because it was cited by the Congress as the first of four cases requiring the improving of the law. So, in the case in which the judge has not met a judge's obligations and has for all practical purposes been an arm of Government I am obtaining more records than one can imagine. I'm assured of not less than 20,000 pages on that one subject. I am getting them at a rate of more than 500 a week. This is hardly failure. I go into this so you can understand that on the one hand you not expect too much to begin with and on the other realize that the seed planted this year may not germinate until next year.

When I returned to bed after we talked I did think of your desire to help and how you may be able to. By giving evidence in one of these law suits in Washington about what you know can be one way. I'll explain this and I'll also take it up with my lawyer.

I am suing for the results of certain scientific tests, as you'll recall from the last part of Post Mortem. Some of these tests are of those of the impact that caused your injury. What little has been given me is fake. It cannot be all unless the FBI began by knowing it was a fake. You can prove that what they have given me is not authentic, whether or not it is what they tested. You gave me the clue last night. I'd rather not go into this now not to influence your recollections. Once the most honest of us knows what is of interest there is always the danger of what lawyers call "confabulation," the filling in of gaps by the mind, without this being intentional. So if we do not inform you in advance we'll be certain of a more solid record and that is what we want anyway.

I'd rather that at least to begin with you give no indication that you are obtaining anything for me. The reason is not to attract any resistance to it. Some people, as you mentioned, have personal concerns, as for job security. Others have other reasons for not wanting to say other than the officials say. One example is that I wrote Tom Dillard about another picture he had taken and had never been used. He did not reply.

Because of your personal involvement you can tell each person that because of this involvement you want to have some records of your own, for your kids, etc.

It is not possible that the Warren Commission got all the pictures, of anything and of that curbstone in particular. My third book is on the suppression of some pictures and the misuse of others. I have never heard of a news photographer who with plenty of time took only one picture. Dillard must have more. I know he does of the TSBD when he got to that point. He should of the curbstone. There may even be some of you with your cheek showing blood. Or some at the time the police first spoke to you at that spot. Please try and get all of these, no matter how much they may seem to duplicate each other. If there are any questions, well, you were involved, this is now part of the country's history, and you want as complete a record in your family as possible.

Underwood's film is 16mm. It would be best to get all of it if some of it has not already disappeared. I can have individual frames made into still pictures up here. The copying of 16 mm film is automatic and inexpensive. If it were possible to obtain the film he took at the TSBD that would be great but if he resists on this or the station does do not push on it. The important thing now is that curbstone.

They generally ask for releases, and this is proper. It means that nobody can make commercial use of their property. I would, of course, abide by this. I have had only one station refuse to let me have a copy in all these years and they did show me what I wanted to see.

After this I'd go to the police and the sheriff's office and make the same request of them. There is no need for secrecy. There was no confidential informant to be protected, etc. Just tell them that you would like all the records about this because it is now history and there really is no reason for them not to let you have them. If Texas has a Freedom of Information law they cannot refuse them. But I'd just ask first at least and not push until later, should it become necessary.

Duplicates of all of these records are supposed to have been given to the State Court of Inquiry. The set of them that was deposited in the Library of Congress is not complete. I have that set. The most obvious proof of incompleteness is that it does not have some reports I obtained from the Warren Commission files that were provided by Dallas authorities and it does not contain the index. Some of the records are stamped "Indexed." All of this should be non-secret and in the Texas State Archives at Austin. Some years ago the man in charge was a Mr. Day. The initial request if your work does not take you to Austin should be for the index and the records relating to you. If you know people who are or who know State officials this may be easier. But there really is no secrecy involved in any of this. It was all given to the federal government and all is supposed to be available. The problem is that some has disappeared. I learned this in the printout of the mircofilm from the Library of Congress. I believe I have the microfilm and I know I have the printout.

I would rather be able to examine the film of the mark, whatever you can get, and talk to the lawyer, Jim Lesar, before carrying any possible testimony, whether in the form of an affidavit or live or any other way. But please be assured that it will not in any way be underhand, anything but completely open and limited to what you know and saw and if you were told, what you were told by whom. I think you can see how records could be helpful in this. After I can go over this stuff I may or may not know more. If I learn more that would be helpful in providing questions to ask you that you could then respond to. Please excuse my bad typing. If my wife can I'll ask her to read and correct this. Again thanks for calling and for your belief in our traditions. Sincerely,

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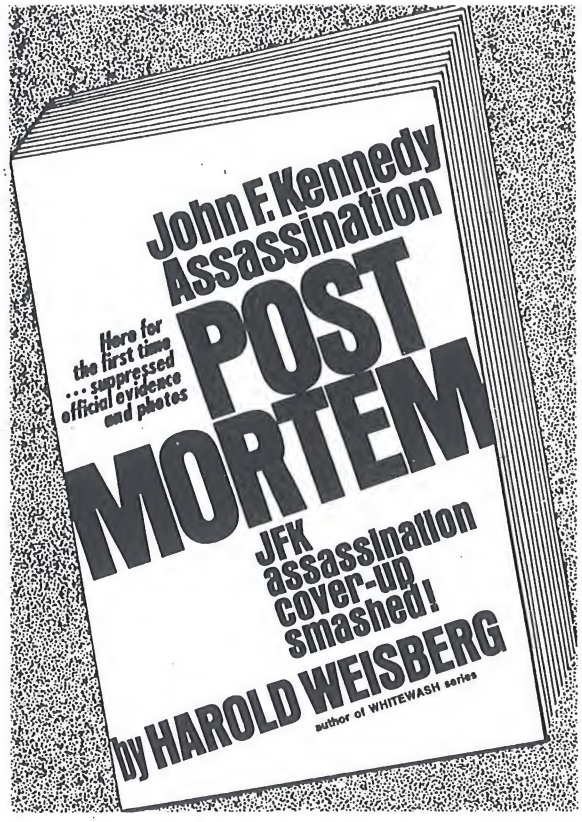

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